

Remarks

The Office Action requires that the Applicant choose one of four distinct species including Specie 1: a spill retaining receptacle that ensures the stability of containers of circular cross section (Figure 1); Specie 2: a spill retaining receptacle that ensures the stability of containers of rectangular cross section (Figure 4); Specie 3: an adapter which fits the upper edge of a paint container (Figure 10); and Specie 4: a ladder hook for use with a spill retaining receptacle (Figure 16).

Initially, the Applicant would like to thank the Examiner for his courtesy during the phone interview of November 8, 2010. As discussed during the call, the Applicant has amended claim 40 such that it is a proper sub-combination of the combination of claim 74. Thus, the Applicant elects the specie 1 (Figure 1) for examination at this time. In addition, the Applicant requests that claims 74-77 (corresponding to Figures 17-18), which are combination claims including the sub-combination of claim 40, be examined. Thus, the Applicant elects the following claims for examination: 40, 43, 47-50, 66-69, and 74-77.

In view of the foregoing amendments and remarks, Applicant respectfully requests that the elected claims, which are combination/sub-combination claims, be examined. Should the Examiner should have any additional questions or concerns regarding this matter, he is cordially invited to contact the undersigned at the number provided below.

Date: November 9, 2010

Respectfully submitted,

/RMT/

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